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21 GOOGLE INC.

22 UNITED STATES DISTRICT COURT  
23  
24 NORTHERN DISTRICT OF CALIFORNIA  
25  
26 SAN FRANCISCO DIVISION

27 ORACLE AMERICA, INC.,

28 Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. 3:10-cv-03561-WHA

**[PROPOSED] ORDER GRANTING  
DEFENDANT GOOGLE INC.'S MOTION  
FOR SUMMARY JUDGMENT ON  
COUNT VIII OF PLAINTIFF ORACLE  
AMERICA'S AMENDED COMPLAINT**

Judge: Hon. William Alsup

Hearing: 2:00 p.m., September 15, 2011

1 Before this Court is Defendant Google, Inc.’s Motion for Summary Judgment on Count  
2 VIII of Plaintiff Oracle America, Inc.’s Amended Complaint. Based on the arguments presented  
3 in the motion and supporting filings, the Court concludes that there is no genuine dispute as to  
4 any material fact, and that Google entitled to judgment as a matter of law on Count VIII of  
5 Oracle’s Amended Complaint. Google’s motion therefore is granted in its entirety.

6 IT IS SO ORDERED.

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8 Dated: \_\_\_\_\_

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**WILLIAM ALSUP**  
**UNITED STATES DISTRICT JUDGE**

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